

Hon. S. B. Maxey having received 59 votes, was duly and constitutionally elected as United States Senator, to succeed Hon. J. W. Flanagan, whose term of office expires March 4, 1875.

Senator Erath moved that the Senators retire to the Senate chamber. (Carried.)

IN SENATE.

On motion of Senator Ireland, the Senate adjourned to 10 o'clock A. M., to-morrow.

FIFTEENTH DAY.

SENATE CHAMBER,
AUSTIN, January 29, 1874.

Senate met pursuant to adjournment. Roll called; quorum present.

Prayer by the chaplain.

Journal of yesterday read and adopted.

Senator Westfall introduced a bill entitled "An act granting pensions to the surviving veterans of the revolution which separated Texas from Mexico, including the Mier and Santa Fe prisoners, from and after the first day of January, 1874." Read first time and referred to Committee on State Affairs.

ORDERS OF THE DAY.

House bill No. 17, "An act to compel the sheriffs or ex-sheriffs and the late treasurers of boards of school directors or those claiming to have been such, or other officers in the several counties of this State, to make a complete and final settlement with county courts of said counties, and fixing penalties for failure to comply therewith," was read first time and referred to Committee on Education.

Senate joint resolution No. 43, "Making an appropriation to repair and re-furnish the Executive Mansion," was read the third time and passed, by the following vote:

Yeas—Senators Ball, Baker, Bradshaw, Bradley, Camp, Culberson, Dwyer, Erath, Flanagan, Friend, Ireland, Ledbetter, Morris, Parker, Russell, Swift, Trollinger, Westfall and Wood—19.

Nays—Senators Allison, Davenport, Hobby and Moore—4.

Absent, not voting—Senators Dillard, Ellis, Randle and Stirman.

House bill No. 27, "An act to amend 'An act to adopt and establish a penal code for the State of Texas,'" approved August 20, A. D. 1856, was read first time and referred to Judiciary Committee.

House bill No. 20, "An act repealing an act entitled 'An act to prohibit the sale or giving away of spirituous, vinous, malt and other intoxicating liquors within two miles of certain places therein named,'" passed May 31, A. D. 1873, was read first time and referred to Committee on Education.

Senate Bill No. 2 1-2, "An act to regulate and define mileage to be paid members of

the Legislature," with amendments from the House, to strike out in section 1, the word "usually," and insert the words "nearest practicable route," was read third time, House amendment concurred in and bill passed.

Senate bill No. 6, "An act to regulate the sale of homesteads," was taken up, and on motion of Senator Culberson was made the special order for next Wednesday, at 11 o'clock A. M.

Senate bill No. 45, "An act for the relief of the heirs of N. B. Garner, deceased," was taken up, and on motion of Senator Swift was made special order for next Thursday, at 10 o'clock A. M.

Senate bill No. 46, "An act for the relief of the heirs and assignees of Jones Ship, deceased," was taken up, and on motion of Senator Swift, was made special order for 11:30 A. M. on next Thursday.

Senate bill No. 52, "An act to confer jurisdiction of certain civil causes in the courts in the several counties in the State," was taken up, and the amendments of the committee adopted; also, an amendment offered by Senator Wood as follows: Amend in section second, by inserting after the word "incorporation," the words "association or joint stock company," was adopted. The bill was read second time as amended and ordered engrossed.

Senate bill No. 53, "An act to amend article five hundred and eighty-seven, of the Code of Criminal Procedure," was read second time and ordered engrossed.

Senate bill No. 54, "An act to repeal 'An act to regulate the sale of lands, under decrees of courts, and to repeal the third section and amend the second section of said act,'" was read second time and ordered engrossed.

Senate bill no 55, "An act for the relief of Richard S. Walker," was read second time, and the amendments of the committee concurred in.

Senator Westfall, for the Committee on Enrolled Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate: Your Committee on Enrolled Bills ask leave to report that they have carefully examined Senate bill No. 2 1-12, "An act to regulate and define the mileage to be paid members of the Legislature," and find the same correctly enrolled, and did this day at 11 o'clock A. M. present the same to the Governor for his approval.

W. H. WESTFALL, for Committee.

Senator Randle, chairman of Committee on Engrossed Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate: Your Committee on Engrossed Bills beg leave to report that they have carefully examined and compared Senate bill No. 32,

"An act to amend article 773 b of 'An act to establish a Criminal Code for the State of Texas,'" and find the same correctly engrossed.

ED. RANDLE, Chairman.

House bill No. 5, "An act making an appropriation for mileage and *per diem* pay of members and the *per diem* pay of officers and employees of the Fourteenth Legislature," was read second time and passed to a third reading.

Senate bill No. 58, "An act prescribing the mode of proceeding in district courts, in matters of probate," was read second time, and on motion of Senator Dillard, one hundred copies were ordered printed.

On motion of Senator Ball, the Senate went into executive session.

IN SENATE.

On motion of Senator Culberson, the Senate adjourned to 10 o'clock A. M. tomorrow.

SIXTEENTH DAY.

SENATE CHAMBER,
AUSTIN, January 30, 1874. }

Senate met pursuant to adjournment.

(Senator Ball in the chair.)

Roll called; quorum present.

Prayer by the chaplain.

Journal of yesterday read and adopted.

On motion of Senator Parker, the secretary was instructed to enter on the journal of to-day that the Senate did on yesterday, confirm and consent to the appointment of J. P. Ballinger, as one of the associate justices of the Supreme Court.

(President in the chair.)

Senator Culberson introduced a joint resolution "Asking our Senators and Representatives in Congress to procure an appropriation by Congress to improve the navigation of Soda Lake and Cypress Bayous." Read first time and referred to Committee on Internal Improvements.

Senator Randle, Chairman of Committee on Engrossed Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills beg leave to report that they have carefully examined and compared Senate bill No. 49, "An act to regulate the testimony of witnesses in cases of bribery;" also Senate bill No. 54, "An act to repeal 'An act to regulate the sale of lands under the decrees of courts,'" approved the thirteenth of August, 1870, and "An act entitled an act to repeal the third section and amend the second section of an act entitled 'An act to regulate the sale of lands under the decrees of courts,'" approved the thirteenth of August, 1870, passed the eighth day of May, 1871; also, Senate bill No. 53, "An act to

amend Article 587 of the Code of Criminal Procedure;" also Senate bill No. 51, "An act to regulate the holding of the District Court of Freestone county at its April term;" also Senate bill No. 27 1-2, "An act to amend Article 2994 of the Code of Criminal Procedure," each and all of which we find correctly engrossed.

ED. RANDLE, Chairman.

Senator Ireland, chairman of Judiciary Committee, submitted the following reports:
Hon. R. B. Hubbard, President of the Senate:

Your committee, to whom was referred Senate bill No. 50, "An act making an appropriation to pay judgment in favor of E. N. Smith against the State," beg leave to report the same back with the recommendation that it do pass.

IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate:

The Committee on Judiciary respectfully ask leave to report that it has had under consideration Senate bill No. 29, entitled "An act to validate the registration of deeds and other evidences of title in certain cases," and report the same back with an amendment, by adding the words, "within this State or any other State," and recommend the passage of said bill as amended.

IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your committee to whom was referred House bill No. 49, entitled "An act to render valid and effectual the acknowledgment, proof and registration of all deeds and written instruments entitled to be recorded, which have been acknowledged or proved, between August 8, 1870, and May 6, 1871," beg leave to report the same back, with the remark that the Senate bill now under consideration on the same subject, is more comprehensive and preferable; they therefore recommend that said bill do not pass.

IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your committee to whom was referred Senate bill No. 23, entitled "An act to expedite business in the district courts," beg leave to report the same back, with the recommendation that it do not pass.

IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your committee to whom was referred Senate bill No. 38, "An act to change the name of David R. Clanton to David R. Cameron," beg leave to report that the laws are now ample to afford relief in such cases, and that under the Constitution, such bill would be invalid; the committee therefore recommend that the bill do not pass.

IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your committee, to whom was referred Senate bill No. 62, "An act to incorporate the Dallas Herald Printing Company," beg